

### REMARKS

Claims 1-79 are pending the application and stand rejected. Claims 1, 2, 4-6, 8, 9, 11-13, 16-18, 20-22, 25, 26, 28, 31, 34, 35, 37, 40, 42, 49, 50, 53, 55, 57, 58, 65, 66, 69, and 71-79 are amended as set forth above. New claim 80 has been added. The Applicant respectfully requests reconsideration of the application in view of the above amendments and the following remarks.

#### **A. The Applicant Requests that the Objections Be Withdrawn.**

In the Office Action dated September 23, 2003, claims 25 and 77 were objected to based on certain informalities. Claim 25 has been amended to correct a typographical error as requested by the Examiner. Claim 77 has been amended to depend from claim 76 to provide proper antecedent basis for the limitations in claim 77. The Applicant therefore requests that the objections be withdrawn.

#### **B. The Claims Are Not Anticipated by the Cited References.**

Claims 1, 3, 6-7, 9-11, 18, 19, 21, 24, 45, 50-52, 69-70, and 72 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dean, et al., U.S. Patent 6,055,512. Claim 1, as amended, recites, among other things, "receiving a request initiated by the consumer and transmitted over a global communication network to a system associated with the at least one domain name, wherein the request includes a selected one of the at least one domain name and the selected domain name includes an identification of a subject of the request." Dean does not teach or suggest this limitation.

Dean teaches that a service terminal receives a smart card pre-loaded with user-specific data or with remote access data describing remote locations at which user specific data is stored (see col. 5, lines 15-26 and 48-52). The service terminal may connect to individual data sources via a WAN or the Internet (see col. 5, lines 13-15). The service terminal may download user specific data from the smart card or from a remote data source and stores the user specific data in a database (see col. 6, lines 1-22). The service terminal compares the user specific data with general data to identify data sources and service providers from which electronic data services can be obtained (see col. 6, line 66, to col. 7, line 6).

Dean does not teach or suggest "receiving a request initiated by the consumer and transmitted over a global communication network to a system associated with the at least one domain name." Although Dean teaches that some communications may be made over a wide area network or the Internet, the reference does not teach or suggest that a request is initiated by a consumer. Instead, Dean describes a situation in which all of the remotely stored data is downloaded by the service terminal once the smart card is inserted into the service terminal (see col. 6, lines 14-22 and 41-43). Although the Office Action asserts that Dean teaches "receiving a request initiated by the consumer and transmitted over a global communication network to a system," the cited portion of the Dean reference (i.e., col. 5, lines 2-17) merely teaches that the service terminal facility includes a gateway device that connects to remote data sources. The teachings of Dean clearly suggest that the service terminal uses these connections to download all of a user's remote data to the service terminal so that the service terminal can compare the user data with locally stored data (see col. 6, line 44, to col. 7, line 17).

Moreover, Dean does not teach or suggest a request that includes a selected one of at least one domain name, nor does the reference teach or suggest that a selected domain name includes an identification of a subject of a request. Accordingly, Dean does not teach or suggest all of the limitations of claim 1. Claim 1 and its dependent claims are therefore allowable over the cited references.

Furthermore, with respect to claim 9, this claim has been amended to recite that "the intermediary is associated with the at least one domain name." Dean does not disclose or suggest operating as an intermediary between the consumer and the chosen provider where the intermediary is associated with the at least one domain name, as "the at least one domain name" is defined in claim 1. Thus, claim 9 is allowable over the cited art for this additional reason.

With respect to claim 10, the claim recites that the "personal information relating to the consumer includes privacy instructions submitted by the consumer, and the method further comprises enabling the consumer to purchase the goods or services offered by said at least one provider chosen by the consumer, the purchase being in accordance with the privacy instructions submitted by said consumer." The Office Action asserts that this limitation is disclosed by the

Dean reference. Dean, however, does not teach or suggest enabling a consumer to purchase goods or services in accordance with privacy instructions submitted by the consumer. While Dean does describe the use of a keyword or other verification data for remotely obtaining user specific data from a remote data source, this description does not relate to making a purchase using privacy instructions. Accordingly, claim 10 and claim 11, which depends from claim 10, are allowable over the cited art for this additional reason.

Claim 11 further recites that "the privacy instructions include instructions to make information, alternatively, freely available, available only when authorized by said consumer, or never available to the chosen provider or third parties." Again, Dean does not disclose or suggest this limitation. Thus, claim 11 is further allowable over the cited art for this additional reason.

Independent claim 18 recites "a server for receiving a request initiated by said consumer and transmitted over a global communication network, the server associated with the plurality of domain names and the request including a selected one of the plurality of domain names, with the selected domain name including an identification of a subject of the request." As discussed above in connection with claim 1, Dean does not teach or suggest "receiving a request initiated by [a] consumer" or that the request includes "a selected one of the plurality of domain names, with the selected domain name including an identification of a subject of the request." Claim 18 and its dependent claims are therefore allowable over the cited references.

Independent claim 45 recites an apparatus that is adapted to "receive a search request initiated by the consumer over a global communications network, the request identifying a type of goods or services, the search request having a single set of characters forming a plurality of fields, a first field having a common name as between different search requests and a second field identifying the type of goods or services to be searched without specifying a specific provider of goods or services." As discussed above in connection with claim 1, Dean does not disclose or suggest an apparatus that is adapted to receive a search request initiated by a consumer over a global communications network. Furthermore, Dean does not disclose a request that identifies a type of goods or services or that the search request has "a single set of

characters forming a plurality of fields, a first field having a common name as between different search requests and a second field identifying the type of goods or services to be searched without specifying a specific provider of goods or services.”

In rejecting claim 45, the Examiner relies upon the Traderonline.com reference in combination with the Dean reference. The Applicant notes that anticipation under 35 U.S.C. § 102 requires that a single reference disclose all of the limitations of the claim. MPEP § 2131. The Examiner does not assert that Dean teaches all of the limitations of claim 45, so claim 45 is not anticipated by the Dean reference. Accordingly, the Applicant understands the rejection to essentially be an obviousness rejection.

**C. The Claims Are Not Obvious in View of the Cited Art.**

Claims 2, 4, 20, 34, 36, 53-55, and 61-63 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Traderonline.com. To support a prima facie case of obviousness based on a combination of references, there must be some suggestion or motivation to combine the teachings of the references. MPEP § 2143.02. In addition, all of the claim limitations must be taught or suggested by the references. MPEP § 2143.03.

Claims 2, 4, and 34 depend from claim 1 and thus include all of the limitations of claim 1. Claim 1 recites “receiving a request initiated by the consumer and transmitted over a global communication network to a system associated with the at least one domain name, wherein the request includes a selected one of the at least one domain name and the selected domain name includes an identification of a subject of the request.” The Dean reference does not teach or suggest this limitation, as discussed above. The Traderonline.com reference also fails to teach or suggest this limitation. The Traderonline.com reference describes a family of Internet sites that can be accessed through www.traderonline.com (see p. 1). Each Internet site refers to a different category of products. By accessing a particular one of the Internet sites, a user can initiate a search for a product in a category covered by the Internet site. For example, on Boat Trader Online, a user can identify parameters based on which a search is conducted for boats that match the selected parameters. The request itself, however, does not include a selected domain name. Furthermore, neither reference discloses selecting at least one name of at least one provider

responsive to the received request, as "the received request" is defined in claim 1, and based upon the request and the preferred providers in the database, as required by claim 1.

Accordingly, the references collectively fail to teach all of the claim limitations. A prima facie case of obviousness has not been made, and the Applicant respectfully requests that the rejection be withdrawn.

In addition, there is no suggestion or motivation to combine the Dean reference and the Traderonline.com reference. The Traderonline.com reference describes a website that is directed to allowing users to search for a product that matches the users' search parameters. Selecting a name of a provider based on the request and on preferred providers identified in a database, as recited in claim 1, would defeat the purpose of the website described in the Traderonline.com reference (e.g., by limiting the search to preferred providers rather than allowing a user to search for a boat based on selected parameters).

Furthermore, with respect to claim 2, neither reference suggests that the system described in the Dean reference could be modified such that a request is received where the request includes a selected domain name from a plurality of domain names each of which includes a common domain name element. Although the Traderonline.com reference describes a family of domain names and the Dean reference describes retrieving user specific data from a remote data source, there is no suggestion or motivation that retrieving data from a remote data source, as described in Dean, could use a request that includes a domain name from a family of domain names, as described in the Traderonline.com reference.

Although the Office Action states that this combination "would make the procedure of accessing a website for desired goods/services for the user/consumer simple and convenient i.e. one place shopping site," such a motivation does not support making the asserted combination. Instead, this statement is, at most, a benefit of the Traderonline.com websites. There is no apparent benefit, however, for the system described in the Dean reference to use a domain name such as that described in the Traderonline.com reference. As described in Dean, when a remote data source is contacted, the service terminal does so using location information stored on a smart card. If the location information is stored on the smart card, there is no opportunity or

need for such information to be simple and convenient to a user. Accordingly, claims 2, 4, and 34 are allowable over the cited references. Claim 20 also includes limitations analogous to those of claim 2 and is allowable for the similar reasons.

As mentioned above, the rejection of claim 45 also relies upon a combination of Dean and the Traderonline.com reference. For the reasons discussed in connection with claims 2, 4, and 34, there is no motivation or suggestion to combine the Dean and the Traderonline.com references, so the references cannot be combined to meet the limitations of claim 45. Moreover, claim 45 further recites that one or more providers of a type of goods requested are identified "responsive only to the search request without additional search information being directly provided by the consumer." As described in the Traderonline.com reference, once a consumer navigates to a Traderonline.com website, the consumer must provide additional search information (i.e., parameters) before any list of matches is identified. Thus, claim 45 is allowable for this additional reason.

Independent claims 53 and 61 include limitations analogous to those of claim 45. For example, claim 53 recites "receiving a request initiated by the consumer and transmitted over a global communication network to a system, said request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof," and "selecting, responsive only to the received request initiated by the consumer without additional search information being directly provided by the consumer and based upon the personal information relating thereto in the database, at least one name of at least one provider." The Dean and Traderonline.com references, individually or collectively, fail to teach or suggest these limitations. With respect to claim 61, the claim recites "a server for receiving a request initiated by said consumer and transmitted over a global communication network, the request comprising a single set of characters representative of typed text, the typed text including a first field having a common name as between different requests and a second field for identifying at least one type of goods or services without identifying a specific provider thereof." In addition, the server further includes "a module for selecting, responsive to the received request

without additional information directly provided by the consumer and based upon personal information relating to the consumer in the database, at least one name of at least one provider.” Again, the Dean and Traderonline.com references, individually or collectively, fail to teach or suggest these limitations. Accordingly, claim 53 and its dependent claims and claim 61 and its dependent claims are allowable for reasons similar to those discussed in connection with claims 2 and 45.

Claims 5 and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Turner. Claims 5 and 22-23 are allowable for at least the same reasons as the claims from which they depend.

Claims 8, 12, 14-16, 35, and 46-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Daly et al. Claims 8, 12, 14-16, 35, and 46-48 are allowable for at least the same reasons as the claims from which they depend.

Claims 13 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Matsuoka. Claims 13 and 29 are allowable for at least the same reasons as the claims from which they depend.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Bi et al. Claim 17 is allowable for at least the same reasons as the claims from which it depends.

Claims 25, 32-33, 37, and 42-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean further in view of Meade, II. Independent claim 25 recites “receiving a request initiated by said consumer and transmitted over a global communication network to said intermediary system, said request being a domain name associated with the intermediary system, with the domain name identifying a subject of the request.” As discussed above in connection with claim 1, Dean does not teach or suggest “receiving a request initiated by [a] consumer and transmitted over a global communication network to [an] intermediary system” or “said request being a domain name associated with the intermediary system, with the domain name identifying a subject of the request.” Meade does not cure the deficiencies in the Dean reference. Claim 25 and its dependent claims are therefore allowable over the cited references.

Claim 37 recites "receiving a search request initiated by the consumer over a global communications network, the request comprising a domain name identifying a type of goods or services." As discussed above in connection with claim 1, Dean does not teach or suggest receiving a search request initiated by a consumer over a global communications network. Furthermore, Dean does not teach or suggest a request comprising a domain name identifying a type of goods or services. Meade does not remedy the deficiencies of the Dean reference. Thus, claim 37 and its dependent claims are allowable over the cited references.

Claims 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean in view of Meade, II and further in view of Traderonline.com. Claims 26-27 are allowable for at least the same reasons as the claims from which they depend.

Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean in view of Meade, II and further in view of Turner. Claim 28 is allowable for at least the same reasons as the claim from which it depends.

Claims 30-31 and 38-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean in view of Meade, II and further in view of Daly. Claims 30-31 and 38-40 are allowable for at least the same reasons as the claims from which they depend.

Claims 41 and 49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean and further in view of Matsuoka. Claims 41 and 49 are allowable for at least the same reasons as the claims from which they depend.

Claims 56-57, 59-60, 64-65, and 67-68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean/Traderonline and further in view of Daly et al. Claims 56-57, 59-60, 64-65, and 67-68 are allowable for at least the same reasons as the claims from which they depend.

Claims 58 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean/Traderonline and further in view of Matsuoka. Claims 58 and 66 are allowable for at least the same reasons as the claims from which they depend.

Claims 73-77 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean and further in view of Meade, II. Claims 73-77 are allowable for at least the same reasons as the claims from which they depend.



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Filed : September 24, 1999  
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Claims 78-79 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dean/Traderonline and further in view of Meade, II. Claims 78-79 are allowable for at least the same reasons as the claims from which they depend.

New claim 80 depends from claim 1 and recites that "the subsequent communication by the consumer comprises completing a transaction with the selected at least one provider using data stored in the database of personal information." Claim 80 is allowable for the same reasons as discussed above in connection with claim 1. In addition, the cited references fail to disclose or suggest the additional limitation of claim 80 in combination with the limitations of claim 1. Accordingly, claim 80 is allowable over the cited references.

Enclosed is a \$484.00 check for excess claim fees and Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 3/23/04



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